

**PATENT**  
**Docket No.: NOVCEL3CPDDVC**  
**Date: August 8, 2006**

Applicant(s)	:	<b>Hubbell, et al.</b>
App. No.	:	<b>10/761,180</b>
Filed	:	<b>January 20, 2004</b>
For	:	<b>Gels For Encapsulation Of Biological Materials</b>
Examiner	:	<b>Berman, Susan W.</b>
Group Art Unit	:	<b>1711</b>

**TERMINAL DISCLAIMER**

**Mail Stop Amendment**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee (the "Assignee"). The original assignment is recorded at Reel 6530 and Frame 0245. This Assignment represents the entire chain of title of this Invention from the Inventor(s) to the Assignee.

In accordance with 37 C.F.R. 3.73(b), Assignee represents that it is the owner by assignment of a 100% interest in the above referenced application, which is a Continuation in part of U.S. Application No. 09/811,901, filed on March 19, 2001, now U.S. Patent No. 6,911,227; which is a Continuation of U.S. Application No. 08/783,387, filed on January 13, 1997, now U.S. Patent No. 6,258,870; which is a Division of U.S. Application No. 07/958,870, filed on October 07, 1992, now U.S. Patented 5,529,914. All of these applications are 100% owned by Assignee by virtue of the same assignment recorded at Reel 6536, Frame 0245.

Assignee represents that it is also the owner by assignment of a 100% interest in U.S. Patent No. 5,801,033, which is recorded at Reel 6536, Frame 0245-0260. Assignee represents that it is also the owner by assignment of a 100% interest in U.S. Patent No. 5,858,746 & 5,843,743.

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Assignee hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of any one of United States Patent No. 6,258,870; 5,529,914; 5,858,746; 5,801,033; and 5,843,743 pursuant to 37 C.F.R. 1.321 (b), and hereby agrees that any patent so granted on the above identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any one of U.S. Patent Nos. 6,258,870; 5,529,914; 5,858,746; 5,801,033; and 5,843,743. This agreement extends to any patent granted on the above-identified application and shall be binding on its successors or assigns.

Assignee does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any one of U.S. Patent Nos. 6,258,870; 5,529,914; 5,858,746; 5,801,033; and 5,843,743 in the event that any one of these later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with 37 C.F.R. 3.73(b), any evidentiary documents which are referred to in this disclaimer have been reviewed, and to the best of Assignees knowledge and belief, title is in Assignee.

Date: August 8, 2006

/KOH/

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